

## District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley

Date: 2/29/2012

Case Number 5:11-cr-38

Case Style: USA vs. Hughie Elbert Stover

Type of hearing Sentencing

Before the honorable: 2516-Berger

Court Reporter Lisa Cook

Courtroom Deputy Kierstin Tudor

Attorney(s) for the Plaintiff or Government R. Booth Goodwin II; Steven Ruby

Attorney(s) for the Defendant(s) William Wilmoth

Law Clerk Matt Delligatti

Probation Officer Teresa King

### Trial Time

### Non-Trial Time

### Court Time

10:58 am to 1:45 pm

Total Court Time: 2 Hours 47 Minutes Court actively conducting trial proceedings/Contested proceedings

### Courtroom Notes

Scheduled Start 11:00 a.m.

Actual Start 10:58 a.m.

Defendant present in person and by counsel for sentencing as to Counts One & Three of the Superseding Indictment.  
Counsel note appearances on the record.

Defendant placed under oath.

Court addresses PSR and remaining objections.

Court ADOPTS findings in PSR.

Probation to file PSR in court file under seal.

Court FINDS the applicable U.S.S.G. ranges to be:

Total Offense Level: 20

Criminal History: I

Custody Range: 33 - 41 months

Supervised Release Range: 1 - 3 years

Fine Range: \$7,500 - \$75,000

Assessment: \$100

Court hears from counsel at bench.

Government calls KEVIN STRICKLIN; oath given.

Direct by Mr. Ruby.

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Government Ex. 1 marked and admitted.

Government Ex. 2 marked and admitted.

Government Ex. 3 marked and admitted.

Cross by Mr. Wilmoth.

Redirect.

Government calls GARY MAY; oath given.

Direct by Mr. Ruby.

Cross by Mr. Wilmoth.

Government calls GINA JONES; oath given.

Direct by Mr. Ruby.

Cross by Mr. Wilmoth.

Court addresses 3553(a) factors, and makes applicable findings.

Mr. Goodwin speaks before sentence is imposed.

Mr. Wilmoth speaks before sentence is imposed.

Defendant speaks on his own behalf.

After considering advisory U.S.S.G. ranges and 3553(a) factors, Court IMPOSES sentence as follows:

Custody: 36 months

Supervised Release: 2 years

Fine: \$20,000

Assessment: \$200

Court states reasons for sentence imposed.

Defendant advised of right to appeal.

Count Two was previously DISMISSED.

Defendant RELEASED on prior bond to self-report.

Court recessed at 1:45 p.m.